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USPTO	703-872-9306	

FROM: **Barbara M. Hayashi**

RE:

OUR REF: 100302.0016US1	NUMBER OF PAGES, INCLUDING COVER: 3
10/031046	
INTERACTIVE IRRIGATION SYSTEM	
AQUA - JOHN ADDINK, ET AL.	

MESSAGE:

Attached: Statement of the Substance of the Interview 2 pages

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/031,046	
	Filing Date	January 11, 2002	
	First Named Inventor	John W. Addink	
	Art Unit	2125	
	Examiner Name	Paul L. Rodriguez	
Total Number of Pages in This Submission	2	Attorney Docket Number	100302.0016US1

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavit/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD <div style="border: 1px solid black; padding: 2px;">Remarks</div>	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Statement of the Substance of the Interview
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Rutan & Tucker	
Signature		
Printed name	Martin Fessenmaier	
Date	1/21/05	Reg No. 46697

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Signature			
Typed or printed name	Barbara Hayashi	Date	01/21/2005

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JAN 21 2005

Inventor: Addink, John et al.

Serial No: 10/031,046

Filed: 01/11/02

For: Interactive Irrigation System

Examiner: Paul L. Rodriguez

Art Unit: 2125

Attorney Docket No.: 100302.0016US1

STATEMENT OF THE SUBSTANCE OF THE INTERVIEW

Box AF
Commissioner for Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The applicant thanks the examiner for the interview conducted on January 6, 2005 and files this Statement of the Substance of the Interview as required under MPEP section 713.04.

2077/100302-0016US1
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Remarks

In the phone interview conducted on January 6, 2005, the applicant's representative and the examiner discussed claims 1, 27, and 28 as they compare to Collins (U.S. Patent No. 6,402,048) and Peek (U.S. Patent No. 6,343,255).

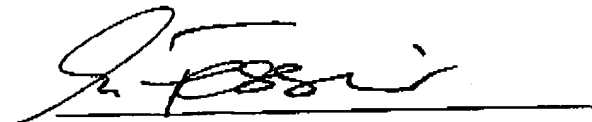
During the interview, the parties discussed why further consideration would be needed by the examiner in light of the fact that the applicant had merely moved dependent elements of claims 27 and 28 into independent claim 1. The examiner pointed out that the applicant had also changed the word "exchanges" to "sends". The parties then discussed that the concept of exchanging information is broader than simply sending information, so the reference which had been cited previously (Peek) against claims 27 and 28 should still be applicable unless the applicant had distinguished that reference. The parties agreed that Peek had indeed been distinguished and therefore the examiner needed to further consider other references.

The parties also discussed the motivation to combine the references of Collins and Peek. The examiner's position was that the motivation to combine was stated in his Office Action. In addition, the examiner summarized the motivation to combine as follows (paraphrased): Collins teaches exchanging information with a government agency; Peek teaches water flow data; it would be obvious to exchange this type of information with a government agency. The applicant's representative disagreed with the examiner stating that the mere recitation of two elements without anymore is not sufficient motivation to combine.

The parties did not come to agreement as to any proposed amendments to the claims.

Respectfully submitted,

Rutan & Tucker, LLP



Martin Fessenmaier
Reg. No. 46697

Dated: January 21, 2005

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